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C O N F I D E N T I A L THE HAGUE 003094

SIPDIS

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SUBJECT: RUSSIA/UKRAINE/EU - ANGRY PUTIN, FIRM EU AGREE AT LEAST: "NO VIOLENCE"

Classified By: DCM Daniel Russel for reasons 1.4 (b) and (d).

¶1. (C) SUMMARY: At the Russia-EU Summit in The Hague November 24, an "angry, aggressive" President Putin demanded Ukrainian law should dictate the outcome and rejected EU interest in finding a political solution as unwarranted and unnecessary. Drawing on OSCE election monitoring conclusions, Dutch PM Balkenende, representing the EU Presidency, warned Putin that the "future EU-Ukrainian relationship would depend on the quality of democracy in Ukraine." According to the Dutch DepPolDir Herman Schaper (who debriefed A/S Jones by phone), Putin characterized Yuschenko in the meeting as a US pawn. At the press conference, the leaders spoke of an "excellent meeting" that made some progress in the four "Common Spaces," but the EU-Russia working agenda was clearly overshadowed by serious disagreement over Ukraine. End Summary.

¶2. (C) The DCM spoke with two EU DCMs on November 26, who reported that Tony van der Togt (MFA Eastern Europe Director) had debriefed EU COMs late November 24 along with lines of Schaper's readout to A/S Jones. PM Balkenende told Putin that Ukraine's CEC announcement did not reflect the will of the people and the EU cannot accept the outcome. Putin disagreed, saying it was not up to outsiders to validate the results. Putin argued for a solution within the constitutional framework of Ukraine, using dialogue and consultation.

¶3. (C) Balkenende argued for a political solution to the crisis, also urging consultation and dialogue among the parties. Putin rejected a political approach, saying that the laws of Ukraine cannot be replaced by a political process. He reportedly acknowledged that "mistakes were made" but these did not invalidate the results, according to the CIS report he cited.

¶4. (U) Balkenende, Barosso and Solana held a joint press conference with Putin after the Summit, where they first spelled out the progress on the "four Common Spaces," the most concrete being the expansion of the Agreement on Partnership and Cooperation (PCA) with new EU Member States, the beginning of the implementation of the Kyoto Protocol, agreement on intensified trade and mutual investment, fighting terrorism, and the establishment of a European Training Institute in Moscow. On Ukraine, Putin took exception to Balkenende's insistence that the EU could not accept the outcome of elections and had a right to "confirm that the rules of democracy are working properly." Putin said that the EU did not have right to "interfere from the outside" with Ukraine's electoral process.

¶5. (C) MFA Ukraine/Belarus Desk Off Daniel Melchers told the Acting Polcouns November 26 that Dutch Envoy Biegman is returning from Kiev, where he had gone bearing letters for Kuchma, Yanukovych, Rada President Lytvyn and the Head of the Constitutional Court requesting all not to publish final elections results -- this was done anyway. Melchers noted the decision of the Supreme Court to review Yuschenko's appeal, but said the Netherlands expects the court will change nothing. Characterizing Russia's reaction as defensive, he observed "they lost the Baltics and Georgia, they don't want to lose Ukraine."

SOBEL